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**FACSIMILE COVER SHEET**

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TO: EXAMINER H. VY (U.S. PATENT AND TRADEMARK OFFICE)

CLIENT NUMBER: 51370

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FROM: CHRISTOPHER F. REGAN, REG. NO. 34,906

DATE: May 5, 2005

NUMBER OF PAGES (INCLUDING COVER SHEET): 4

**COMMENTS/INSTRUCTIONS:**

Re: U.S. Patent Application Serial No. 10/828,585

Per your request, attached is the Terminal Disclaimer.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:  
**DURHAM**

Serial No. 10/828,585

Confirmation No. 5510

Filing Date: APRIL 21, 2004

For: REFLECTOR ANTENNA SYSTEM  
 INCLUDING PHASED ARRAY  
 ANTENNA OPERABLE IN MULTIPLE  
 MODES AND RELATED METHODS

) Examiner H. VY

) Art Unit: 2821

) Attorney Docket No.  
 GCSD-1299 (51370)

) Fax No. 571-273-1954

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE  
PATENTING REJECTION OVER COPENING PATENT APPLICATIONS

Mail Stop AMENDMENT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Assignee, Harris Corporation, having a mailing address of 1025 W. NASA Blvd., Melbourne, Florida 32919, verifies through its duly authorized representative that it is the owner of all right, title and interest in United States Patent Application Serial No. 10/828,585 (hereinafter "the '585 Patent Application") and has remained owner of all right, title and interest from the time of filing the original Assignment to the present. The

Assignment was recorded on April 21, 2004, as 05/04/2005 15:25:52, Frame 144. 01 FC:1814 130.00 DA 00000002 000070 10828585

Assignee hereby disclaims, except as provided below, the terminal part of any patent granted on the '585 Patent Application which would extend beyond the expiration date of the

In re Patent Application of  
**DURHAM ET AL.**

Serial No. 10/828,585

Filed: 4/21/04

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full statutory term defined in 35 U.S.C. § 154 to § 156 and § 173 of any patents granted on co-pending applications 10/828,690 and 10/829,905. Petitioner hereby agrees that any patent so granted on the '585 Patent Application shall be enforceable only for and during such period that it and the '690 Patent Application or '853 Patent Application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the Grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of the prior patent, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

In re Patent Application of  
**DURHAM ET AL.**  
Serial No. 10/828,585  
Filed: 4/21/04

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For submission on behalf of Assignee, the undersigned is the attorney of record.

Authorization is given to charge the Terminal Disclaimer fee of \$130.00 to Deposit Account No. 08-0870. If any additional extension and/or fee is required, or if any additional fee for claims is required, charge Account No. 08-0870.

Respectfully submitted,

  
CHRISTOPHER F. REGAN

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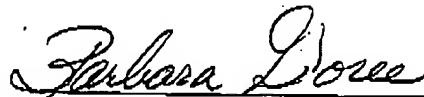
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Attorney of Record for Applicant

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 571-273-1954 to the Commissioner of Patents this 5<sup>th</sup> day of May, 2005.

  
Barbara Doree